

A M E N D E D

No. 75111

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 20 2006

Returned to applicant for correction DEC 11 2006

Corrected application filed FEB 07 2007

Map filed FEB 07 2007

The applicant **Phillip Cooper, c/o Industrial Properties Development, Inc.**, hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion of water** heretofore appropriated under **Application No. 73684**.

1. The source of water is **Underground**
2. The amount of water to be changed **Five (5) acre-feet & a proportionate share of diversion rate.**
3. The water to be used for **Quasi-Municipal**
4. The water heretofore permitted for **Quasi-Municipal**
5. The water is to be diverted at the following point **The SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T18S, R63E, MDM, Clark County, Nevada, or at a point from which the S $\frac{1}{4}$ corner of Section 31, T18S, R63E bears South 13° 01' 30" West, a distance of 605 feet in Clark County, Nevada. Refer to map filed with this application.**
6. The existing permitted point of diversion is located within **A well at a point located within the W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T19S, R60E, MDM., or at a point from which the E $\frac{1}{4}$ corner of said Section 22 bears North 29° 45' East, a distance of 816 feet in Clark County, Nevada. Refer to supporting map filed under Permit No. 73684.**
7. Proposed place of use **See attached "Exhibit A".**
8. Existing place of use **W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T19S, R60E, MDM., Clark County, Nevada. Refer to supporting map filed under Permit No. 73684.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drilled well, pump & motor with pipeline distribution system.**
12. Estimated cost of works **Unknown**
13. Estimated time required to construct works **Two (2) years**
14. Estimated time required to complete the application of water to beneficial use **Five (5) years**
15. Remarks: **Estimated fixture unit count to be (15) private, and (280) public; for a total consumptive use of 5.00 acre-feet annually. (See attached fixture unit worksheet).**

s/ Lynne Burke
By Lynne Burke, Summit Engineering Corp - Agent
5405 Mae Anne Avenue
Reno, NV 89523

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Compared aem/mt

Protested _____

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that it does not meet the interbasin transfer criteria specified in Nevada Revised Statute § 533.370(6) and its approval would threaten to prove detrimental to the public interest.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 8th day of October, A.D. 2007.

Tracy Taylor P.E.
State Engineer

EXHIBIT "A"**LEGAL DESCRIPTION**

BEING A PORTION OF SECTIONS 8, 9, 10, 17, 20, 21 AND 22, TOWNSHIP 18 SOUTH, RANGE 63 EAST, MOUNT DIABLO MERIDIAN, CLARK COUNTY, NEVADA, AND MORE FULLY DESCRIBED AS FOLLOWS:

BEING THE SOUTH HALF (S1/2) OF SECTION 8, LYING EASTERLY OF THAT CERTAIN EASEMENT GRANTED FOR A TRANSPORTATION AND UTILITY CORRIDOR, SERIAL NUMBER N-52787 AS SHOWN IN THE "APEX INDUSTRIAL PARK" PLAT RECORDED IN BOOK 95 OF PLATS, PAGE 36, IN THE CLARK COUNTY RECORDER'S OFFICE, LAS VEGAS, NEVADA;

ALSO TOGETHER WITH:

THE SOUTH HALF (S1/2) OF SECTION 9;

ALSO TOGETHER WITH:

THE SOUTH HALF OF SECTION 10;

ALSO TOGETHER WITH:

THE WEST HALF (W1/2) OF SECTION 17, LYING EASTERLY OF THAT CERTAIN EASEMENT GRANTED FOR A TRANSPORTATION AND UTILITY CORRIDOR, SERIAL NUMBER N-52787 AS SHOWN IN THE "APEX INDUSTRIAL PARK" PLAT RECORDED IN BOOK 95 OF PLATS, PAGE 36, IN THE CLARK COUNTY RECORDER'S OFFICE, LAS VEGAS, NEVADA;

ALSO TOGETHER WITH:

THE NORTH HALF (N1/2) OF SECTION 20, LYING EASTERLY OF THAT CERTAIN EASEMENT GRANTED FOR A TRANSPORTATION AND UTILITY CORRIDOR, SERIAL NUMBER N-52787 AS SHOWN IN THE "APEX INDUSTRIAL PARK" PLAT RECORDED IN BOOK 95 OF PLATS, PAGE 36, IN THE CLARK COUNTY RECORDER'S OFFICE, LAS VEGAS, NEVADA;

ALSO TOGETHER WITH:

THE NORTH HALF (N1/2) OF SECTION 21;

ALSO TOGETHER WITH:

THE NORTH HALF (N1/2) OF SECTION 22, LYING WESTERLY OF THAT CERTAIN EASEMENT GRANTED FOR A TRANSPORTATION AND UTILITY CORRIDOR, SERIAL NUMBER N-52787 AS SHOWN IN THE "APEX INDUSTRIAL PARK" PLAT RECORDED IN BOOK 95 OF PLATS, PAGE 36, IN THE CLARK COUNTY RECORDER'S OFFICE, LAS VEGAS, NEVADA,